

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Thomas Murphy,) C/A No. 0:11-01723-RBH-PJG
Petitioner,)
vs.)
Isaac Fulwood, Chairman US Parole Commission;) **ORDER**
Mary Mitchell, Warden,)
Respondents.)

This is an action seeking habeas corpus relief under 28 U.S.C. § 2241. Petitioner is a prisoner. Therefore, in the event that a limitations issue arises, Petitioner shall have the benefit of the holding in Houston v. Lack, 487 U.S. 266 (1988) (prisoner's pleading was filed at the moment of delivery to prison authorities for forwarding to District Court). Under Local Civil Rule 73.02(B)(2) of the United States District Court for the District of South Carolina, pretrial proceedings in this action have been referred to the assigned United States Magistrate Judge.

By Order issued on August 19, 2011, Petitioner was given a specific time frame in which to bring this case into proper form. Petitioner has complied with the Court's Order, and this case is now in proper form.

TO THE CLERK OF COURT:

The Clerk of Court shall not serve the § 2241 Petition upon Respondents because the Petition is subject to dismissal.

IT IS SO ORDERED.



Paige J. Gossett
UNITED STATES MAGISTRATE JUDGE

October 6, 2011
Columbia, South Carolina